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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

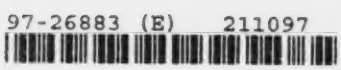
Letter dated 7 October 1997 from the Permanent Representative of Myanmar to the United Nations addressed to the Secretary-General

On instructions from the Minister for Foreign Affairs of the Union of Myanmar, I have the honour to transmit herewith the statement made by His Excellency U Ohn Gyaw, Minister for Foreign Affairs of Myanmar, at the Asia Society in New York on 30 September 1997 concerning Myanmar (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly at its fifty-second session, under agenda item 112 (c) entitled "Human rights situations and reports of special rapporteurs and representatives".

(Signed) Win MRA
Ambassador
Permanent Representative

97-26883 (E) 211097



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ANNEX

Impact of Myanmar's membership into ASEAN

It is an honour for me, and for Myanmar, to be invited to present my views on the impact of Myanmar's membership into the Association of South-East Asian Nations (ASEAN). The Asia Society has the noble aim of promoting the spirit of goodwill and understanding through contacts such as today's talk. I have every confidence that my views presented to you today will serve to promote a better understanding of Myanmar as we embark on a new era of friendship and cooperation with our fellow members of ASEAN.

Let me first outline the main components of my presentation. I will begin with a broad historical overview of Myanmar and her interactions with ASEAN. I will then discuss the impact of ASEAN membership on Myanmar, focusing on the constructive aspects of this impact. In my conclusion, I will summarize the important factors, which in my view, have contributed to the constructive and positive relations over the years between Myanmar and the ASEAN States, and which today will form the basis of our inter-linked futures under the ASEAN aegis.

Historical perspective

Myanmar endeavours to maintain friendly relations with all nations in the international community, and places special emphasis on her ties with neighbouring countries in the South-East Asia region. We have consistently identified ourselves as being a part of South-East Asia, and this inherent perception has led to the progressive strengthening and enhancement of the traditional close and friendly relations with the South-East Asian nations, with whom we share many affinities in our history, culture, religion, and social framework.

When the Association of South-East Asian Nations was first established on 8 August 1967 in Bangkok by the five original member States, the policies and priorities pursued by the then Government of Myanmar (then known as Burma) did not include membership in the Association. Burma was compelled to decline the offer of membership in 1967. Nevertheless, the traditional ties of friendship and cooperation continued, strengthened by the five Principles of Peaceful Co-existence which have formed the basis of our foreign policy over successive administrations.

With the advent of the State Law and Order Restoration Council in September 1988, fundamental changes were introduced in the political, economic, administrative, social and international outlook, direction and policies. These transformations made it possible for the country to depart from an isolationist one-party socialist State to a democracy-oriented multiparty State. The centrally controlled socialist economy was replaced with a market-oriented economy. Adopting new political, economic and social policies created conditions favourable for closer cooperation with each ASEAN State, as well as with the Association itself.

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In the years of the cold war, Myanmar had stayed somewhat aloof for 26 years under the socialist regime. The sweeping changes in international conditions and trends, as well as in our own domestic priorities and directions, opened new opportunities for Myanmar to assume greater responsibilities and contribute towards regional peace, stability and prosperity. At the same time the growing trend of interdependence among nations stressed the need for regional cooperation for the common peace and prosperity of the region as well as for each individual nation in the region.

Against this backdrop, Myanmar began to implement the first steps towards integration into the ASEAN fold. I was invited as a guest of the host Government to the twenty-seventh and twenty-eighth ASEAN Ministerial Meetings, in 1994 and 1995. It was at the twenty-eighth ASEAN Ministerial Meeting where we applied for observer status in ASEAN. This was accorded to us at the twenty-ninth ASEAN Ministerial Meeting. At the head-of-government level also, we participated in the fifth ASEAN Summit, held in Bangkok in December 1995, and at the Informal Summit held in Jakarta the following year. It was at the fifth ASEAN Summit that Senior General Than Shwe first voiced Myanmar's aspiration for membership: "It is hoped that a genuinely harmonious, peaceful and prosperous South-East Asia-10 under one roof will come into existence in the not too distant future ... If there is to be a genuine cohesion, there cannot be two South-East Asias ... Myanmar is confident that if we all work together in unity, the essentials are already there for our region to play a significant role in the world at large. Myanmar looks forward to contributing towards regional development".

It is in this spirit that Myanmar applied for membership and actively implemented preparations for membership into ASEAN. It is in this spirit that we were admitted into the ASEAN fold in July this year during the thirtieth ASEAN Ministerial Meeting, held in Malaysia.

Impact of Myanmar's membership

Myanmar's participation in ASEAN, in my view, can only be that of a constructive, positive nature. ASEAN's constructive engagement has proved an invaluable assistance in our efforts for integration. The continuation of constructive consultations with our ASEAN colleagues will facilitate our process of political, economic and social reforms, and help us catch up with the fast pace of growth and development that is now so characteristic of ASEAN. In political and security cooperation, in economic cooperation, in functional cooperation, the positive impact of membership is evident.

Political and security cooperation

ASEAN's meeting place for cooperation in political and security matters of the region is the ARF - the ASEAN Regional Forum. The ARF first came into being at the twenty-seventh ASEAN Ministerial Meeting, and was welcomed by all as a positive initiative for regional peace and security.

Myanmar first participated in the third ASEAN Regional Forum as an observer at the twenty-ninth ASEAN Ministerial Meeting, in Indonesia, and we participated

as a full member of ASEAN in the fourth ASEAN Regional Forum, held this year in Malaysia.

Our participation in the ARF has afforded us the chance to develop proximity, and understanding on the region's security-related issues, as well as to clear any doubt or misperception regarding situations and circumstances in any of the participating countries. The frank and open discussions in the ARF circle are very constructive, in that first-hand information is exchanged at the highest level of diplomats representing their respective Governments. The informality and cooperative spirit of these discussions have assisted and contributed considerably to the promotion of greater transparency and have also facilitated the initiation of confidence-building among the participants. This is very significant since confidence-building is the first step towards establishing mechanisms of peaceful conflict resolution. The wide range an strategic mix of the ARF participants require that understanding and transparency be promoted as much as possible.

Since the beginning of 1997, Myanmar has participated in the implementation of a number of ARF activities such as confidence-building measures, search and rescue, peacekeeping and preventive diplomacy.

The impact of our participation and immersion in this sphere is translated into the sharing of information with fellow ARF participants and gaining invaluable experience on how to pursue more effectively the process of political change in the national context against the strategic backdrop of the region and beyond.

Economic cooperation

Economic cooperation in ASEAN also builds on the notion of interdependence. In the new and fluid situation of the post-cold-war years, cohesion and interdependence have become more important than ever in every sphere.

The focus of economic cooperation in ASEAN can be rightly identified as the ASEAN Free Trade Area, or AFTA, process. Interdependence in the fields of trade, investment and finance has been enhanced by the signing of the AFTA Agreement in 1992, and the mechanism for realizing AFTA, the Common Effective Preferential Tariff (CEPT) Scheme, was launched in January 1993. New members who have joined since the initiation of the AFTA process are now adapting fast to the tariff reduction process and harmonization in other trade facilitation measures.

Other areas of economic cooperation include cooperation in industrial development, finance and banking, investment matters, food, agriculture and forestry, minerals, energy, transport and communications, tourism, services and intellectual property.

The impact of enhanced cooperation with our ASEAN friends in all these areas will be translated into an increased momentum of development in Myanmar's transitional economic scene. Exchange of information and national experiences, collaborative efforts and transfer of practices, harmonization of national practices, coordination and review of policies, and encouraging the active

participation and cooperation of the private sector ensures the systematic evolution of our economy. Opening up through ASEAN brings the benefit of new opportunities for Myanmar in the economic field, as the economic synergy between ASEAN countries has a definite experience impact on each country as well as on the Association.

Functional cooperation

Functional cooperation is where Myanmar will see the most impact in the sphere of our social development efforts. This is one of the areas where we can effectively promote a better understanding of each other in the region. Since sociocultural understanding plays an important role in sustaining and accelerating substantive cooperation between ASEAN member States. Myanmar looks forward to the sharing of experiences and collective efforts in all endeavours in this field.

Functional cooperation covers the areas of science and technology, environment, culture and information, social development, drug and narcotics control, and civil service. Through cooperation and interaction in these areas, knowledge about one another's society, history and culture will certainly assist a deeper understanding of each other's situations.

At this point, I wish to digress a bit on our efforts for drug and narcotics control and for social development.

Myanmar has been singled out for punitive action by certain countries, and among the reasons given by them for doing so, inaction in drug eradication efforts and lack of human rights recognition are the most repeated.

Myanmar is committed to combating drugs and has consistently implemented drug eradication measures as a national responsibility. We have acceded to and comply with the various international conventions and plans of action adopted by the international community. We are also cooperating with our neighbouring countries and with the United Nations International Drug Control Programme (UNDCP) as part of the subregional and regional strategies formulated for this purpose. We have signed agreements for cooperation in narcotic suppression with China, Thailand, India, Bangladesh and the Lao People's Democratic Republic - in other words, with all of our five immediate neighbours. A similar agreement was also signed with Viet Nam in 1995. The role and mandate of UNDCP is recognized, as evidenced in our subregional-level agreements signed with China and UNDCP, Thailand and UNDCP, as well as the Memorandum of Understanding (MOU) signed between Myanmar, the Lao People's Democratic Republic, China, Thailand and UNDCP in 1993. Our national legislations have provisions for the control of money laundering in connection with the drug trade. Our transparency in this area is obvious, yet allegations are still being made.

We look forward to enhanced cooperation not only with our immediate neighbours but also with other South-East Asian neighbours under the ASEAN umbrella in ASEAN's collective effort against drugs. We have participated in the meetings of ASEAN Senior Officials for Drugs in both observer and member capacities. Our participation and contribution towards drug and narcotics control will surely serve as an illustration of our commitment and sincerity in

this area. Through our cooperation with fellow ASEAN members, we have every confidence that this serious problem will be minimized at the national and regional levels.

Related to this is the aspect of social development. We in Myanmar are pursuing drug and narcotics control through poverty alleviation in the border areas. Bringing about the socio-economic progress of these areas ensures that the residents will not turn to poppy cultivation as a means of livelihood, as their standard of living is raised, with more awareness and income. In a sense, this can be interpreted as part of our human rights effort, and also as an integral part of bringing about social development. This is another aspect of functional cooperation.

One may ask: How is this connected with human rights? The right to development is the inherent right for all of us. With economic development, the right to social well-being becomes a priority as well. For promoting social well-being, certain values peculiar to a society have to be considered, since these values will provide the framework within which social well-being will develop. The four social objectives for the Myanmar people are being implemented in tandem with our economic priorities. Thus, both economic and social rights - so very important for developing societies - are being ensured. As we mature politically and move nearer to our goal of a modern developed nation, the more sophisticated aspect of human rights will follow naturally.

Functional cooperation thus provides the ideal means of achieving social development through our interactions with our friends and neighbours in the areas mentioned earlier. This is where the impact of our membership will be most evident, as further interactions, particularly people-to-people contacts, bring us the opportunity to become more familiar with one another, have more first-hand knowledge of each other's society, history and culture, and have more experience in, as well as cultivate, the habit of interacting with one another.

The success factors

The achievement of ASEAN, and the integration of Myanmar, in my view are due mainly to the intertwined contribution of domestic and regional factors.

At the domestic level, the South-East Asian spirit of determination is evident in each leadership in the region. Although this notion of strong leadership is seen essentially as characteristic of the "East", it is a reality in South-East Asia where we all share similar histories of emergence into nationhood; similar experiences in grouping together traditions and cultures that go back a long time in history and that cut across the newly defined post-Second World War borders; and similar commitment to the cause of development.

At the regional level, the unique role of ASEAN is evident as the single uniting thread that links together countries with different levels of social cohesion, stability and development. ASEAN has most successfully created a sense of community and the habit of regional cooperation among countries in South-East Asia. The principle of consensus and consultation, and the efforts to mute differences, has reinforced this sense of community. At the same time, because ASEAN is ever pragmatic, the recognition that each individual country

would have to be strong and resilient to be able to contribute to the strength of the region has provided the constructive spirit of cooperation and mutual confidence among the countries in our region.

The impact of Myanmar's membership into ASEAN, then, is seen as the result of these interlocking factors, and a systematic evolution of our development process. It is the element of continuity in the implementation of change in Myanmar - change in the political, economic and social spheres - against the backdrop of the new opportunities and challenges of an imminent new millennium. With the knowledge and experience we gain from and share with our ASEAN colleagues, we will be creating closer proximity through the deeper understanding resulting from our interactions. In the ARF circle too, the same spirit of frank and open discussions in exchanging views and positions of our respective Governments will definitely assist and influence to some extent the continuity or change in the policies pursued towards one another.

It is in this spirit that we look forward to continuing our relations with the United States. Myanmar has enjoyed the warmth of traditional friendly relations with the United States since the time of our independence struggles. We have gained invaluable knowledge and advice from United States national experiences in many areas. The United States has been an understanding friend in our nation-building efforts since the socialist era, and has rendered us invaluable assistance in various fields of cooperation. I see it as most unfortunate that at present the relations between our two countries have fallen victim to the influence and manipulation of certain prejudiced opinions which have created a curtain of misperception in what were formerly ties of understanding and cooperation.

In this era of interdependence and cooperation all across the globe, I do not see any difficulty in lifting this curtain. To the people of the United States, and to people interested in Myanmar, I wish to stress the fact that we do not represent a problem or a burden to continuing relations between nations; instead, what we represent is an opportunity. An opportunity to create mutual benefits at all levels - government, business, people-to-people contacts, new awareness through the media - for a win-win situation. On our part, we are transparent in all our efforts at the domestic, regional and international levels. I have stated at various forums that we stand ready to cooperate and contribute our sincere effort in any endeavour that aims to promote peace, progress and stability to our region, and to the world. I reiterate this aspiration once again today at this meeting.